**DEFENCE AMENDMENT ACT (No. 2) 1977**

**No. 20 of 1977**

An Act to amend sections 80b and 83 of the *Defence Act* 1903.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:—

**Short title, &c.**

**1.** (1) This Act may be cited as the *Defence Amendment Act* (*No.* 2) 1977.

(2) The *Defence Act* 1903 is in this Act referred to as the Principal Act.

**Commencement**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**3.** Section 80b of the Principal Act is repealed and the following section substituted:—

**Improper use of service decorations.**

“80b. (1) Subject to this section, a person shall not wear a service decoration unless he is the person upon whom the decoration was conferred.

“(2) Where the person upon whom a service decoration was conferred has died, it is not an offence against sub-section (1) for a member of the family of that person to wear the service decoration if the member of the family does not represent himself as being the person upon whom the decoration was conferred.

“(3) It is not an offence against sub-section (1) for a person to wear a service decoration in the course of a dramatic or other visual representation (including such a representation to be televised) or in the making of a cinematograph film.

“(4) A person shall not falsely represent himself as being the person upon whom a service decoration has been conferred.

“(5) A person shall not deface or destroy, by melting or otherwise, a service decoration.

Penalty: $100.”.

**Unauthorized use, possession or supply of uniforms and emblems.**

**4.** Section 83 of the Principal Act is amended by omitting sub-section (5) and substituting the following sub-section:—

“(5) It is not an offence against this section for a person to wear a uniform or emblem to which this section applies in the course of a dramatic or other visual representation (including such a representation to be televised) or in the making of a cinematograph film.”.